

What to Expect at the Parole Hearing

A Victim Services publication of



Introduction

You may be surprised to learn that the offender in your case is already scheduled for a parole hearing date. The initial parole hearing date is determined by law. Whether you oppose or support an inmate's early release from prison, the parole hearing process can be a source of anxiety and stress. The goal of this booklet is to explain what will happen at the hearing and to reduce those feelings on the day of the parole hearing. Victims and/or their family members often don't know the questions to ask. This information should give you perspective and help clarify any uncertainties you may have. The Victim Services Manager for the Board of Probation and Parole (BOPP) and the Victim Services Director for the Tennessee Department of Correction (TDOC), as well as the victim services contacts across the state (listed below), are available to answer any questions you may have about an upcoming parole hearing. You can also learn more by accessing each agency's website.



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BOPP has established District Victim Services Coordinators as listed below. Please call the number listed for the county in which you reside for specific information regarding the upcoming parole hearing involving your case.

District Victim Services Contacts

Johnson City 423.434.6800

(Serves Carter, Greene, Hawkins, Johnson, Sullivan, Unicoi and Washington Counties)

Knoxville 865.582.2000

(Serves Anderson, Blount, Campbell, Claiborne, Cocke, Fentress, Grainger, Hamblen, Hancock, Jefferson, Knox, Loudon, Morgan, Roane, Scott, Sevier and Union Counties)

Chattanooga 423.634.6333

(Serves Bradley, Bledsoe, Hamilton, Marion, McMinn, Meigs, Monroe, Polk, Rhea and Sequatchie Counties)

Clarksville 931.648.5550

(Serves Cheatham, Dickson, Houston, Humphreys, Montgomery, Robertson, Stewart, Sumner and Wilson Counties)

McMinnville 931.473.7213

(Serves Dekalb, Grundy, Van Buren and Warren Counties)

Memphis 901.543.7841

(Serves Shelby County)

Dyersburg 731.288.7919

(Serves Crockett, Dyer, Gibson, Henry, Lake, Lauderdale, Obion and Weakley Counties)

Murfreesboro 615.898.8030

(Serves Bedford, Coffee, Franklin, Cannon, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Rutherford, Wayne and Williamson Counties)

Cookeville 931.526.7165

(Serves Clay, Cumberland, Jackson, Macon, Overton, Pickett, Putnam, Smith, Trousdale and White Counties)

Jackson 731.984.9801

(Serves Benton, Carroll, Chester, Decatur, Fayette, Hardeman, Hardin, Haywood, Henderson, Madison, Tipton and McNairy Counties)

Nashville 615.741.1150

(Serves Davidson County)

General Information

Parole hearings are a time when hearing official(s) for the Board of Probation and Parole listen to information provided by the offender and others supporting or opposing his or her release from prison. If parole is declined, subsequent parole hearings may be scheduled within guidelines set at the discretion of the Board. Parole hearings are generally held at the institution where the offender is housed.

At the parole hearing, the offender is given an opportunity to tell the story of what led up to his or her incarceration. Parole officials ask questions to get more information or to clarify information shared. Visitors who attend are given an opportunity to voice their opinions on whether the offender should be released on parole supervision. The number of Board members who review a case is dependent upon the offender's convictions. **Decisions are usually not made on the day of the parole hearing.** Board members strive to have each decision finalized within one month.



Notification of Parole Hearings

By law, written notice of a pending parole hearing is mailed 30 days prior to the scheduled date to any person requesting notification of hearings through the Tennessee Board of Probation and Parole or the Department of Correction. The letter includes:

- The offender name and his prison (TOMIS ID) number
- The hearing location, date and time
- The name and contact information for the Institutional Probation Parole Officer (IPPO).

Preparing a Victim Impact Statement

Impact statements are a way to effectively present the victim's opinion when they contain the following information:

- A brief statement of how the crime impacted you at the time it was committed.
- A brief description about the continuing impact of the crime on your life *today*.
- You may want to consider addressing the following impacts as they apply: physical, financial, emotional, social or spiritual.

In general, follow these guidelines for preparing effective victim impact statements:

- Plan to read your statement. Parole hearings can be emotional times. Those who try to speak "off the cuff" are generally disappointed because they forgot to make an important point.
- Keep spoken statements to five (5) minutes or less.
- If yours is a large group, select two or three speakers to represent the entire group.



Options for Providing Victim Impact Statements

Parole hearings are open to the public. Victims and victim families and other persons opposing release on parole supervision, as well as people who support an inmate's release, can provide information regarding their opinion to hearing officials. Each institution is assigned an Institutional Probation Parole Officer (IPPO), who can provide you with information and answer your questions *prior to* the hearing day. You'll find that person's name on the Notification of Parole Hearing letter. Options for providing Victim Impact Statements include:

- ***Send in a Victim Impact Statement (VIS)***

A VIS is a written statement that describes the continued impact of the crime. It can be sent directly to BOPP. The address and fax number is included on page 2 of this booklet. The VIS is kept in the inmate's permanent file at BOPP for review by parole officials prior to making parole recommendations. The statement is considered confidential, except for court ordered release and is not read in the parole hearing.

- ***Send in a Petition***

A petition includes a brief, written summary giving reasons the offender should not be released. Others in agreement may also sign the form. No addresses or telephone numbers are required.

- ***Attend the Parole Hearing***

In Person, at the Institution: If you plan to attend and/or speak at the parole hearing, it is most important that you let the Institutional Probation Parole Officer (IPPO) assigned to that institution know ***in advance*** that you will be there. The IPPO needs to know:

- The name (s) of each person who will attend
- Whether each person is in opposition or support of the inmate being released

You can also receive information regarding preparation and accommodations through the IPPO. It is very important to ask these questions in advance, so the IPPO has adequate time to assist you.

In Person, Through Videoconference: Videoconferences give you the opportunity to attend the hearing without actually being at the prison, or being in the same room with the offender. The videoconference locations are in Memphis (at BOPP's Overton Crossing office), Jackson, Nashville, Chattanooga, Knoxville and Johnson City. Utilizing videoconferencing may also allow you to spend less time and travel less distance to attend a hearing. **To learn more and to find out whether this option is available at the hearing concerning your case, contact the BOPP Videoconference Coordinator at:**

615.741.1150

- ***Provide In-Person Hearing Testimony***

If you choose, you may have a confidential conversation with a BOPP staff member. Some victims of felony crime are uncomfortable attending the hearing in the presence of the inmate. By special request, a victim

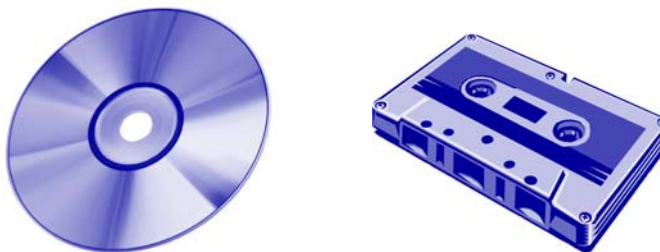
may speak privately and confidentially with a BOPP staff member instead. This meeting must be held at least 14 days prior to the scheduled parole hearing. Although officials can also take confidential testimony during the parole hearing, they cannot insure that the inmate will be unaware of the person's presence. In either case, information remains confidential, except for court-ordered release. The BOPP Victim Services staff can help you arrange for a private session that best suits your needs.

- ***Record an Audio Victim Impact Statement***

A cassette tape or CD can be submitted. Please use regular-sized cassette tapes only. NO mini tapes can be accommodated. Please include the offender name, TOMIS ID number, hearing location, hearing date, your name and your relationship to the victim. The tape must arrive at the BOPP office 14 days before the scheduled hearing. The BOPP staff will transcribe the tape and include the transcription in the offender's permanent file for review by parole officials prior to making parole recommendations. They can also answer additional questions regarding a cassette tape or CD.

- ***Record a Video Victim Impact Statement***

This option can be used if you are located at least 200 miles from the hearing location, or if illness or work obligations prevent you from attending the hearing. Please include the offender's name, TOMIS ID number, location, hearing date, your name and relationship to the victim. The tape must arrive at the BOPP offices 14 days before the scheduled hearing. BOPP staff will transcribe the tape, and include the transcription in the offender's permanent file for review by parole officials prior to making parole recommendations. They can also answer additional questions regarding videos.



- ***Record an Audio Victim Impact Statement***

A cassette tape or CD can be submitted. Please use regular-sized cassette tapes only. NO mini tapes can be accommodated. Please include the offender name, TOMIS ID number, hearing location, hearing date, your name and your relationship to the victim. The tape must arrive at the BOPP offices 14 days before the scheduled hearing. BOPP staff will transcribe the tape and include the transcription in the offender's permanent file for review by parole officials prior to making parole recommendations. BOPP staff can answer additional questions regarding a cassette tape or CD.

- ***Record a Video Victim Impact Statement***

This option can be used if you are located at least 200 miles from the hearing location, or if illness or work obligations prevent you from attending the hearing. Please include the offender's name, TOMIS ID number, location, hearing date, your name and relationship to the victim. The tape must arrive at the BOPP offices 14 days before the scheduled hearing. The BOPP Victim Liaison can answer additional questions regarding videos.

Attending a Parole Board Hearing

Inform the IPPO that you plan to attend or speak at the parole hearing. He or she will work with the prison officials to best meet your needs. IPPOs are very busy on hearing days, since several hearings are usually scheduled on the same day and, prisons are accommodating many visitors—both supporters and opposition. In addition, the IPPO is involved in each hearing and has very limited time to spend with you on the hearing day.

Most hearings begin at 8:30 a.m. Those with visitors attending (opposition and/or support) are scheduled earliest, if possible. An assigned TDOC employee will accompany you through the prison on the day of the hearing.

The TDOC website (www.tennessee.gov/correction) includes written directions to each prison. Go to **State Prisons** on the left menu. When you click on the name of the prison, directions and other facility information will be available.

General Prison Procedures

When you arrive at the prison, park in the visitor/employee lot. Unless you have been directed to another location by the IPPO, go to the Administration Building. You will be directed to a security checkpoint before entering the prison. Checkpoints are operated by TDOC officers, who are responsible for determining whether an individual will be admitted into the prison. Officers will ask whether you are attending in support or opposition of the inmate's parole. Passing through the checkpoint is similar to airport security:

- Walking through a metal detector
- Possibility of a personal search
- Hand-stamping to show at other checkpoints that you passed through security

If there are any questions about whether someone will be allowed into a prison, the warden has the final say.

General Prison Rules

General rules affecting visitor admittance into Tennessee prisons include:

Bring with you

- Only one key
- Current photo ID
- Notes to speak from

Do not bring on the prison grounds

- Knives, scissors or other possible weapons
- Any alcoholic beverages or drugs

Leave (at home or in your vehicle)

- Your purse or wallet
- Gum, medicine, bottled water, soft drinks, related items
- Cell phone

Wear modest clothing (business casual attire)

- No open-toed shoes or sandals
- No sleeveless tops, midriffs, halter or tank tops or sundresses
- Do wear undergarments

Inside the Prison Compound

When you attend a parole hearing inside an institution, you can expect to see other inmates. Prison personnel will accompany you to a waiting area near the room where hearings will be held. The waiting area is in a separate room away from other visitors, and only other victims and victim families will be in the room with you. If you have any needs while you wait, please alert the prison personnel who accompanied you.

Parole Hearing Process

When it is time to hear the case, you will be accompanied into the parole hearing room. Supporters may already be seated, and you will not be seated directly with them. The inmate may already be seated, or will be escorted into the room and seated in a chair a few feet away from you, facing the parole hearing official. A correction officer will be in the hearing room at all times.

The parole hearing official will make a few opening comments. The inmate will tell his or her side of the story, sometimes in graphic detail, and it may be different than what you heard in court. Remember, parole officials have reviewed the case file and facts, regardless of what may be addressed aloud. ***Please, DO NOT address the inmate, directly or with outbursts.*** You or a chosen representative will also have opportunity to speak during the hearing. Those supporting parole speak first, followed by those in opposition, followed by the inmate.



Additional information that the inmate wants the parole official to consider may include his or her social history, programs or classes attended, work history and documented behavior. Supporting persons who speak are often family members. Sometimes prison employees, community volunteers or employers who have worked with the inmate may speak in favor of his or her release on parole.

When the parole hearing official asks you to speak, you may read from your Victim Impact Statement, or speak generally about the continued impact of the crime on your life. ***Again, please DO NOT directly address the inmate with your comments.*** Any questions or clarification sought should be addressed to the parole hearing official.

The inmate will be given the opportunity to make brief final comments. These comments may include why he or she believes parole is appropriate in this case, or statements of regret or sorrow for the crime committed.

If the case is heard by a hearing officer, his or her recommendation is non-binding. Board members review each case file, including the recommendations of hearing officers, before casting their votes.

Recommendations

Each parole hearing official present at the hearing will verbalize a recommendation or vote in favor or against releasing the offender on parole. *However, the final decision is rarely made at the hearing.* The hearing information is reviewed administratively by Board members not present at the hearing. They can adopt, modify or reject the recommendation. A final decision is made when the required number of Board member votes is reached. The number of Board members who review the case is dependent on the offender's current conviction offense(s). The maximum time an offender can be declined for a parole review hearing is six years. If an offender is denied parole, he or she has 45 days to file an appeal seeking a review of the decision.

After the Parole Hearing is Over

When the parole hearing is completed, the parole hearing official will ask the prison personnel to accompany you and your party from the hearing room. When you are ready to leave the institution, the prison personnel will accompany you to the parking area.

Follow up Information

Final decisions from the Board can take about thirty (30) days. All persons registered with the Tennessee Board of Probation & Parole or with the Department of Correction as requesting decision information will receive written notification when the Board has reached its final decision.

If the offender is declined parole, the voting Board members will decide when that offender's case will be heard again. If the offender is recommended for release on parole, the offender's release plan (his/her proposed residence and employment) will be investigated, then either approved or denied by a probation parole officer. Once the plan is approved, those who have requested notification of release on parole information will be contacted.

Common Abbreviations & Terms

BOPP	Board of Probation & Parole: The state agency that hears and decides parole review cases. Its employees supervise parolees, as well as offenders who judges sentence to probation.
TDOC	Tennessee Department of Correction: The state agency that runs Tennessee's publicly-owned prisons and supervises offenders housed in those facilities
CC	Community Corrections: At a judge's option, offenders may be sentenced to a community-based program instead of prison. This means they serve their sentences closer to home.
IPPO	Institutional Probation Parole Officer: The primary contact for information about a parole hearing. Each prison has one or more IPPOs, who also counsel inmates.
PPO	Probation Parole Officer: Offenders on probation or parole are supervised by Probation Parole Officers, who meet with offenders regularly to check their progress and confirm that they are meeting the terms of their probation or parole. These officers may make home visits, conduct searches or use other means to confirm that offenders are abiding by the rules set for them.
RED	Release Eligibility Date: The date when an offender becomes eligible for his/her first parole hearing
SV	Safety Valve Date: An early release date where offenders with certain offenses can be considered for parole earlier than the release eligibility date.
	Granted Parole: Board votes to grant parole to offender.
	Effective Future Date: The date on which the Board determines an offender will be paroled (<i>Example: EF 8-9-09</i>)
	Declined Parole: The Board declines to grant parole at the time, but sets a future review month and year when they will consider the offender's case again.

Declined Balance of Sentence: This means the offender will not be reviewed again by the Parole Board and will remain in prison until his/her sentence expires. The offender will not be on parole supervision.

Probation: Only judges can put offenders on probation. However, probation/parole officers with BOPP supervise offenders serving state-ordered probation. PPOs report back to the court if offenders do not meet the terms of the probation. If an offender fails to follow the probation guidelines, the judge can convert the sentence to jail or prison time.

Parole: The discretionary release of an offender to the community by the Board prior to the expiration of that offender's prison term. It is subject to conditions imposed by the Board and is subject to supervision by a PPO.

Parole Board Members: Seven (7) individuals, including the Chairman, appointed by the Governor to serve six-year staggered terms. They are responsible for declining, granting and revoking the parole status of an offender. They also make recommendations to the Governor in clemency matters.

Hearing Officials: Includes the Board members and hearing officers who are responsible for conducting parole hearings.

Mandatory Parole: Some sentences which occurred prior to 1982 required that an offender automatically be released on parole supervision 90 to 180 days prior to expiration of his or her sentence, as determined by the length of the sentence.

Revocation Hearing: If a parolee is accused of violating the conditions of his/her parole, a revocation warrant will be filed. At that time, the Board will conduct a revocation hearing to determine whether the offender's parole should be terminated. Such action must be consistent with due process rights mandated by the U. S. Supreme Court.

Average Time Served: The total number of years, months and days a selected group of people spent incarcerated, divided by the total number of people in the group.

Time Served: The amount of time, day for day, served by the offender since the sentence imposed date or date of incarceration on the last supervision revocation.

Sentence Credits: Reduces the release eligibility (RED) and expiration dates. Sentence credits are awarded for satisfactory program participation, work assignments and good institutional behavior, up to a maximum of 16 days in a TDOC facility. More credits can be earned at a local jail, up to a total of 41 days per month.

Notes

Parole Hearing Time: _____ Date: _____

IPPO Name: _____

Contact info: _____

Inmate Name: _____

TOMIS ID: _____ **Parole Hearing Institution:** _____

Institution Address: _____

Additional Information or Questions: _____

Notes

Parole Hearing Time: _____ Date: _____

IPPO Name: _____

Contact info:

Inmate Name: _____

TOMIS ID: _____ **Parole Hearing Institution:** _____

Institution Address: _____

Additional Information or Questions: _____



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